



Regular Meeting of Council

Minutes

Date: July 12, 2022
Time: 1:00 pm
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Mayor Marianne Meed Ward, Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna

Staff Present: Tim Commisso, Richard Bellemare (Audio/Video Specialist), Debbie Hordyk, Samantha Yew (Clerk)

Note: This City Council meeting was conducted using a hybrid model, allowing members of Council, city staff and delegations the option of participating remotely or in-person.

1. Call to Order:

2. National Anthem:

3. Land Acknowledgement:

4. Regrets:

None.

5. Proclamations:

5.1 Burlington Teen Tour Band Week: July 4-10, 2022

5.2 National Drowning Prevention Week : July 17-23, 2022

5.3 Emancipation Day: August 1, 2022

5.4 Never Give Up Day: August 18, 2022

5.5 International Day for People of African Descent: August 31, 2022

5.6 Heritage Week: August 1-7, 2022

5.7 Black African Caribbean Canadian Appreciation Month: August 2022

5.8 Emancipation Month: August 2022

5.9 Terry Fox Day: September 18, 2022

6. Recognitions and Achievements:

None.

7. Motion to approve Council Minutes:

Moved by: Councillor Bentivegna

Seconded by: Councillor Sharman

Confirm the minutes of the following meeting of Council:

CARRIED

7.1 Regular meeting of Council June 21, 2022

8. Presentations:

None.

9. Declarations of Interest:

None.

10. Delegations:

10.1 Anne and Dave Marsden spoke regarding Proposed Downtown Cultural Heritage Landscapes Study (PL-49-22)

11. Motion to Move into Closed Session

Moved by: Councillor Sharman

Seconded by: Councillor Kearns

That this meeting of Council proceed into closed session in accordance with the following provisions under the Municipal Act:

Pursuant to Section 239(2)(b) of the Municipal Act, personal matters about an identifiable individual, including municipal or local board employees.

1:15 p.m.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

12. Motion to Move into Public Session:

Moved by: Councillor Galbraith

Seconded by: Councillor Bentivegna

That Council move into Public Session. 3:12 p.m.

CARRIED

13. Urgent Business:

13.1 Confidential verbal update regarding City Manager Performance Review

Moved by: Councillor Kearns

Seconded by: Councillor Sharman

Direct the Executive Director of Human Resources to execute on the performance clause in accordance with the City Manager's employment contract.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

13.2 Integrity Commissioner RFP/Contract Approval

Moved by: Councillor Galbraith

Seconded by: Councillor Bentivegna

Re-Appoint Principles Integrity as the Integrity Commissioners for the City of Burlington and its local boards pursuant to section 223.3(1) of the Municipal Act for a term to December 31, 2026.

Authorize the Mayor and City Clerk to execute an agreement and any ancillary documents between the City of Burlington and Principles Integrity for integrity commissioner services, in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

14. Petitions:

None.

15. Recommendations from Standing Committees:

15.1 Corporate Services, Strategy, Risk & Accountability meeting of July 4, 2022

Items a,b,c,d,e,f,g,h,j,and l were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- a. Delegated authority for geospatial data license agreements (CL-26-22)

Enact the proposed by-law amendment to the Delegated Authority By-law 07-2022 to include delegation of authority to the Director of Engineering to sign geospatial data license agreements as attached in Appendix A to office of the city clerk report CL-26-22.

CARRIED

- b. COVID emergency response summary wrap-up (CM-20-22)

Receive and file city manager's office report CM-20-22 summarizing the city's emergency response actions, decisions and impacts.

CARRIED

- c. 2022 Municipal Election Accessibility Plan (CL-29-22)

Receive and file office of the city clerk report CL-29-22 regarding the 2022 Municipal Election Accessibility Plan.

CARRIED

- e. Restricted acts (lame duck) delegation of authority provisions (CL-27-22)

Enact a by-law to provide temporary delegated authority to the City Manager, in the event of a restricted acts provision, as attached in Appendix A to office of the city clerk report CL-27-22.

CARRIED

- f. Corporate project status reporting – April, May and June 2022 (CM-19-22)

Receive and file city manager’s office report CM-19-22 providing status reports for designated corporate projects for the period April through June 2022 as detailed in Appendix A and non-union job evaluation project overview as provided in Appendix B.

CARRIED

- g. COVID-19 emergency response verbal update (CSSRA-07-22)

Receive and file the July 4, 2022 staff presentation providing the COVID-19 emergency response verbal update.

CARRIED

- h. Confidential human resources report providing a bargaining update for Local 2723 (HR-07-22)

Receive and file human resources department report HR-07-22 providing a bargaining update for Local 2723.

CARRIED

- j. Confidential legal report - update on a litigation matter at 3200 Dakota Common (L-27-22)

- l. Confidential legal report - update on a litigation matter regarding a class action (L-32-22)

- d. 2023 budget framework (F-25-22)

Receive and file finance department report F-25-22 regarding the 2023 budget framework.

IN FAVOUR: (6): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

OPPOSED: (1): Councillor Nisan

CARRIED (6 to 1)

- i. Confidential legal report - waive privilege to release external legal costs for Planning Act appeals completed during current term of Council (L-25-22)

That Council waives solicitor-client privilege over the external legal expenses completed during the current term of Council as contained in Appendix A to confidential legal department report L-25-22, and that in all other respects, L-25-22 and all other detail in respect of those identified legal fees remain subject to solicitor-client privilege; and

Direct the City Clerk to release Appendix A of confidential legal department report L-25-22 to the public following the Council meeting held July 12, 2022; and

Receive and file the balance of confidential legal department report L-25-22; and

Direct the City Clerk to include this resolution in the July 12, 2022 Council minutes for the public record.

Appendix A to Confidential Legal Report L-25-22

Legal & Expert Costs re Individual Appeals to the Ontario Land Tribunal and its predecessor that have reached final conclusion during this current term of Council (2019-2022)

Appeal – Final Determination	Date of Order	Aggregate External Legal & Expert Costs(HST adjusted - incl. only 1.76% tax)
2019		

Drew Garside 607 Dynes Road	March 26, 2019	0 (in-house Legal)
Rachel Raymond5219 Upper Middle Road & 2004 & 2005 Georgian Court	July 2, 2019	0 (in-house Legal)
Chelten Developments Inc. 92 Plains Road East	December 31, 2019	0 (in-house Legal)
2020		
National Homes (Plains Road) LT 484 and 490 Plains Road East	February 26, 2020	0 (in-house Legal)
Penta Properties Inc. (8) 3247 Appleby Line	May 13, 2020	0 (in-house Legal)
National Homes (Brant) Inc. 2100 Brant Street	July 30, 2020	0 (in-house Legal)
Vince & Laura MacDonald 1391 Birch Avenue	October 30, 2020	0 (in-house Legal)

First Capital (Appleby) Corporation 5111 New Street-Appleby Village	Nov. 2, 2020 (but final order still pending)	0 (in-house Legal)
2021		
LIV Communities 1085 Clearview & 1082, 1086 and 1090 St. Matthews Ave	January 29, 2021	0 (in-house Legal)
Reserve Properties Ltd. 401, 03, 405, 409, 411 & 413 Brant Street	Prior to release of decision, Reserve withdrew appeal Notification received on	External (legal) \$14,526.93

IN FAVOUR: (7):
 Mayor Meed Ward,
 Councillor Galbraith,
 Councillor Kearns,
 Councillor Nisan,
 Councillor Stolte,
 Councillor Sharman,
 and Councillor
 Bentivegna

CARRIED (7 to 0)

- k. Confidential legal report - update on Ontario Land Tribunal appeal for 53-71 Plains Road East and 1025 Cooke Blvd (L-29-22)

Moved by: Councillor Galbraith
 Seconded by: Councillor Sharman

Instruct the Executive Director of Legal Services & Corporation Counsel or their designate to proceed in accordance with the instruction sought in confidential legal department report L-29-22; and

That Council waive privilege to Appendix B of Report L-29-22, the planning rationale for the applications at 53-71 Plains Road East and 1025 Cooke Boulevard and that solicitor client privilege continue to apply for all purposes for the balance of the report L-29-22; and

Amend Confidential legal update on a litigation matter (L-29-22) by adding the following paragraph: That Council waive privilege to Appendix B of Report L-29-22, the planning rationale for the applications at 53-71 Plains Road East and 1025 Cooke Boulevard and that solicitor client privilege continue to apply for all purposes for the balance of the report L-29-22.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

15.2 Community Planning, Regulation & Mobility meeting of July 5, 2022

Items a,b,c,d,e,f,h,i,j,k and L were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

a. No. 4 Sideroad speed limit review (TS-11-22)

Direct the Director of Transportation Services to prepare for the approval of Council the necessary by-law amending Traffic By-law 86-2007 to allow for the installation of a 50km/h speed limit on No. 4 Sideroad as identified in Appendix A of transportation services department report TS-11-22.

CARRIED

- b. Amendment to Zoning By-law 2020 to extend the temporary use to permit entertainment uses on outdoor patios in the downtown (PL-57-22)

Approve an amendment to Zoning By-Law 2020 to extend the temporary use to permit entertainment uses on outdoor patios in the downtown, with a timeframe not to exceed three years, as recommended by staff in Appendix A of community planning department report PL-57-22.

CARRIED

- c. City of Burlington Housing Strategy – former school site reuse analysis (PL-53-22)

Direct the City Manager and the Executive Director of Legal Services and Corporation Counsel to consider and integrate Appendix A to community planning department report PL-53-22 titled “Supplemental Technical Memo: Acquisition and Re-use of Surplus School Sites” dated June 2022, prepared by Dillon Consulting and SHS Consulting and report back in Q2 2023 with a Strategic Land Policy that includes a municipal policy directive on surplus school sites which will inform the multi-year community investment plan.

CARRIED

- d. City of Burlington Housing Strategy Inclusionary Zoning Municipal Assessment Report update (PL-56-22)

Receive and file community planning department report PL-56-22, City of Burlington Housing Strategy, Inclusionary Zoning Municipal Assessment Report update.

CARRIED

- e. Building and by-law staff direction and staffing updates (BB-05-22)

Receive and file building and by-law department report BB-05-22 which outlines the status of outstanding staff directions and ongoing workplan items related to by-law enforcement; and

Remove staff direction SD-05-22 (CPRM-01-22), by-law to support police in reducing vehicular noise in Burlington from the outstanding business list.

CARRIED

- f. Single source procurement request – enforcement software (BB-12-22)

Approve a single source procurement process to Electronic Data Collection (EDC) Inc. (Aims Parking Solutions) for enforcement software and applicable licences as outlined in building and by-law department report BB-12-22; and

Authorize the Manager of Procurement Services to execute on behalf of the City of Burlington any required agreements with Electronic Data Collection (EDC) Inc. to give effect to the recommendations in this report, with content satisfactory to the Director of Transportation Services and Director of Building and By-law and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel.

CARRIED

- h. GO investment corridor economic vision (ECDEV-01-22)

Receive and file Burlington Economic Development report ECDEV-01-22, GO investment corridor economic vision and associated appendix.

CARRIED

- i. Zoning By-law amendment at 4063 Upper Middle Road (PL-42-22)

Approve the application for a Zoning By-law amendment for the property located at 4063 Upper Middle Road for the development of an 8-storey, 32-unit residential building; and

Enact amending Zoning By-law 2020.428, rezoning the lands at 4063 Upper Middle Road from “D” to “RH3-508” and “O2” as contained in Appendix D to community planning department report PL-42-22; and

Enact a Holding (H) provision as part of amending Zoning By-law 2020.428, to be removed at such time as the “O2” are dedicated to public ownership; and

Deem that By-law 2020.428 conforms to the Official Plan for the City of Burlington.

CARRIED

j. Proposed Downtown Cultural Heritage Landscapes Study (PL-49-22)

Authorize the Director of Community Planning to retain a qualified consultant, through a competitive procurement process, to undertake the Downtown Cultural Heritage Landscapes Study consistent with the Terms of Reference contained in Appendix B of community planning department report PL-49-22; and

Approve an upset limit of \$150,000 for the study, funded from the Policy Initiatives Reserve Fund; and

Direct the Director of Community Planning to provide notice of the commencement of the study to affected property owners, the local business association and other affected stakeholders identified in the Terms of Reference (Appendix B); and

Direct the Director of Community Planning to add 2012 Victoria Avenue, 518 Brant Street, 524 Brant Street, 530 Brant Street, 574 Brant Street, 600 Brant Street, 612 Brant Street and 620 Brant Street to the Municipal Heritage Register and provide notice to owners of the properties within 30 days, pursuant to section 27(5) of the Ontario Heritage Act, R.S.O. 1990, c. O.18; and

Authorize the City Clerk to take necessary action if there are any objections in accordance with Section 27(7) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18; and

Direct the Director of Community Planning to report back following the completion of the Downtown Cultural Heritage Landscapes Study by Q3 of 2023 with study results, follow-up recommendations and a recommendation to remove 2012 Victoria Avenue, 518 Brant Street, 524 Brant Street, 530 Brant Street, 574 Brant Street, 600 Brant Street, 612 Brant Street or 620 Brant Street from the Municipal Heritage Register if they do not qualify for heritage designation; and

Direct the Director of Community Planning to connect with the Heritage Burlington Advisory Committee to reconvene and review each property in the cultural landscapes to determine which should be added to the Municipal Register; and

Report back to the Community Planning, Regulation & Mobility Committee meeting on September 13, 2022.

CARRIED

- k. Zoning By-law amendment for 5030-5045 Tico Creek Common (PL-51-22)

Approve the Zoning By-law amendment application for the property located at 5030-5045 Tico Creek Common to permit an increase in the maximum building floor area as well as to expand retail store permissions for two (2) proposed 1-storey buildings; and

Approve Zoning By-law 2020.443, attached as Appendix D to community planning department report PL-51-22, which amends the site-specific “MXE-452” zone of the lands at 5030-5045 Tico Creek Common; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

CARRIED

- l. New Burlington Official Plan recommended modifications for ROPA 48 conformity (PL-52-22)

Endorse the recommended modifications to the Burlington Official Plan, 2020, attached as Appendix B to community planning department report PL-52-22; and

Direct the Executive Director of Legal Services and Corporation Counsel, and the Director of Community Planning to advance the recommended modifications through the Ontario Land Tribunal's consideration of the appeals to the Burlington Official Plan, 2020.

CARRIED

- g. Major Transit Station Areas - Area Specific Plans Planning Study update (PL-10-22, SD-20-22)

Direct the Director of Community Planning to use the Major Transit Station Area (MTSA) Area Specific Plan (ASP) Planning Study, prepared by Dillon Consulting Limited, dated June 28, 2022 and contained as Appendix A to community planning department report PL-10-22, to prepare area-specific plans and draft Official Plan policies to the Burlington Official Plan (2020) (new policies, modifications and/or additions); and

Direct the Director of Community Planning to explore the next steps for further technical study related to land use compatibility for the Appleby GO MTSA and complete any required study; and

Receive the technical documents completed as of June 28, 2022 (Appendices D&E) as follows:

- MTSA Planning Areas Market Analysis (June 2022), as prepared by Watson & Associates Economists Ltd, and contained in Appendix D of community planning department report PL-10-22; and
- Air Quality Assessment Report (November 2021), as prepared by Wood, and contained in Appendix E of community planning department report PL-10-22; and

Direct the Director of Community Planning to re-examine the Burlington GO Central Precinct with respect to requirements related to achieving maximum height permissions on a given site, alongside the provision of community amenities, affordable housing and community facilities commensurate with those maximum height permissions and the supporting policies and policy directions.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

15.3 Audit Committee meeting of July 6, 2022

All items were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- a. Risk to Strategy – Vision 2040 final report (CS-06-22)
Receive and file corporate strategy report CS-06-22 providing the Risks to Strategy Vision 2040 Strategic Plan for the corporation of the City of Burlington.

CARRIED

- b. 2022 Annual IT Audit Committee report (IT-03-22)
Receive and file information technology services department report IT-03-22 providing an annual information technology assurance update.

CARRIED

- c. Quarterly dashboard for office of the city auditor (CA-05-22)
Receive and file city auditor’s office report CA-05-22 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI’s).

CARRIED

- d. Quality assurance provider for office of the city auditor (CA-06-22)
Receive and file city auditor’s office report CA-06-22 providing an update on the quality assurance provider for office of the city auditor.

CARRIED

15.4 Environment, Infrastructure & Community Services meeting of July 7, 2022

Items a,b,c,d,e,f,g,i,j,k were voted upon by way of one consent vote.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- a. Single source report – road patrol software (RPF-15-22)

Approve extending the single source agreement with Burnside Mobile for two years with annual subscription costs of \$27,850.00 inclusive of HST for 2023, and \$27,100.00 including HST for 2024, bringing the total cost spent under the duration of this contract to \$151,148.24 including HST as outlined in roads, parks and forestry department report RPF-15-22.

CARRIED

- b. Single source report – two-way radios (RPF-21-22)

Approve the single source purchase of two-way radios from Motorola Solutions, including in-cab vehicle radios and handheld two-way radios on an ongoing basis, with a 2022 upset purchase price of \$400,000 (including net HST) as outlined in roads, parks and forestry department report RPF-21-22; and

Approve the standardization of Motorola Solutions for two-way radios to align with Halton Regional Police Services (HRPS) radio system standard until a competitive procurement process is required by HRPS.

CARRIED

- c. Public tree removal report – 2243-269 Fairview St & 864 Drury Lane – Phase 1 (535-001-20) (RPF-17-22)

Approve the request by the applicant to remove (5) public trees in order to proceed with the proposed site plan application file no. 535-001-20 as outlined in roads, parks & forestry department report RPF-17-22; and

Instruct the applicant, Thomas Maxwell (Multiplex Construction Canada Ltd) on behalf of Fairview Limited Partnership c/o OZ Drewniak, CLV Group Inc., to provide replacement tree

compensation for the public tree removals totaling \$11,000; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

- d. Public tree removal report – 31, 33 & 35 Fairwood Pl. W (RPF-20-22)

Approve the request by the applicant to remove three (3) public trees in order to proceed with the proposed development of new single-family dwellings at 31, 33 & 35 Fairwood Pl. W. as outlined in roads, parks and forestry department report RPF-20-22; and

Instruct the applicant, John Nesbitt (Country Green Homes Inc.) on behalf of O'Malley Enterprises Limited, to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$7,000.00; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

- e. Public tree removal report 2082 James St (535-007-20) (RPF-18-22)

Approve the request by the applicant to remove 34 public trees in order to proceed with the proposed site plan application file no.

535-007-20 as outlined in roads, parks & forestry department report RPF-18-22 and associated appendices; and

Instruct the applicant, Helen Xie on behalf of Mattamy James Street GP Inc., to provide compensation for the public tree removals by planting public trees in accordance with the overall streetscape design for the site plan application, and by providing replacement tree compensation fees totaling \$20,000 for those remaining trees that could not be planted due to space limitations; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

- f. Improving pedestrian linkages to schools during the winter season – disposition of staff directions SD-27-21 and SD-28-21 (RPF-19-22)

Receive and file roads, parks and forestry department report RPF-19-22 regarding improving pedestrian linkages to schools during the winter season and disposition of related staff directions; and

Authorize the Mayor and City Clerk to execute the winter maintenance agreement with the Halton District School Board for winter maintenance of pathways on school property, with the content satisfactory to the Director of Roads, Parks and Forestry and in a form satisfactory to the Executive Director of Legal Services and Corporation Council; and

Authorize the Mayor and City Clerk to execute the winter maintenance agreement with the Halton Catholic District School Board for winter maintenance of pathways on school property, with the content satisfactory to the Director of Roads, Parks and Forestry and in a form satisfactory to the Executive Director of Legal Services and Corporation Council.

CARRIED

- g. Contract award for Central Park leash free area construction (ES-33-22)

Award the tender for contract ES-22-29 Central Park leash free area construction to Oakridge Group Inc. for \$142,052.87 including HST; and

Authorize the Manager of Procurement Services to issue an internal purchase order; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$155,000 (Net HST) to be charged to Capital Order PD0236 and funded as outlined in the financial matters section of engineering services department report ES-33-22 and authorize \$35,000 of additional funding from the Capital Purposes Reserve Fund to support the Central Park leash free area construction.

CARRIED

- i. Climate Resilient Burlington: A plan for adapting to our warmer, wetter and wilder weather (EICS-12-22)

Approve environment, infrastructure and community services department report EICS-12-22 regarding Climate Resilient Burlington: A plan for adapting to our warmer, wetter and wilder weather as presented in Appendix A.

CARRIED

- j. Municipal Accommodation Tax (MAT) (RCC-12-22)

Approve the implementation of a Municipal Accommodation Tax at a rate of 4% effective October 1, 2022 as outlined in recreation, community and culture department report RCC-12-22; and

Approve the Municipal Accommodation Tax (MAT) bylaw 56-2022 substantially in the form attached as Appendix A to recreation, community and culture department report RCC-12-22 and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve Option 3 as outlined in recreation, community and culture department report RCC-12-22 to implement and direct funds; and

Approve the City MAT Reserve Fund bylaw 57-2022 for the City portion of Municipal Accommodation Tax substantially in the form attached as Appendix B to recreation, community and culture department report RCC-12-22 and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the Tourism MAT Reserve Fund bylaw 58-2022 for the Tourism portion of Municipal Accommodation Tax substantially in the form attached as Appendix C to recreation, community and culture department report RCC-12-22 and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the single source engagement for collection of the Municipal Accommodation Tax to Ontario Restaurant Hotel & Motel Association (ORHMA) for the duration of the contract, including any city approved extensions or amendments; and

Authorize the Director of Recreation Community and Culture to enter into an agreement, subject to the satisfaction of the Chief Financial Officer and the Executive Director of Legal Services and Corporation Counsel, with the Ontario Restaurant Hotel & Motel Association (ORHMA) for the collection of the Municipal Accommodation Tax.

CARRIED

k. Storm Sewer Discharge By-law Amendment (ES-10-22)

Approve By-law 59-2022 attached as Appendix A to engineering services report ES-10-22, providing revisions to definitions and policy, new discharge parameters and a new discharge permit process; and

Rescind Storm Sewer Discharge By-law 86-2002; and

Approve By-law 60-2022 attached as Appendix B to amend the Rates & Fees By-law 61-2021 to include the permit application fees as detailed in the financial matters section of engineering services department report ES-10-22.

CARRIED

h. Park Dedication Bylaw Amendment (ES-06-22)

Moved by: Councillor Stolte
Seconded by: Councillor Nisan

Receive and file Appendix A to engineering services department report ES-06-22, Parkland Dedication Bylaw review, background report; and

Approve amendments to Residential Parkland Dedication Bylaw 57-2005 attached as Appendix B to engineering services department report ES-06-22

IN FAVOUR: (4): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, and Councillor Stolte

OPPOSED: (3): Councillor Galbraith, Councillor Sharman, and Councillor Bentivegna

CARRIED (4 to 3)

15.5 Corporate Services, Strategy Risk and Accountability meeting of July 11, 2022

a. 2022 Community Benefits Strategy (F-27-22)

Direct the Chief Financial Officer to report back on the final Community Benefits Strategy, bylaw and feedback received at the September 14, 2022 Community Services, Strategy, Risk and Accountability Committee meeting, followed by a special Council meeting.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

16. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Kearns
Seconded by: Councillor Nisan

Approve the following minutes:

CARRIED

- 16.1 Corporate Services Strategy, Risk and Accountability meeting minutes of July 4, 2022
- 16.2 Community Planning, Regulation and Mobility meeting minutes of July 5, 2022
- 16.3 Audit Committee meeting minutes of July 6, 2022
- 16.4 Environment, Infrastructure and Community Services meeting minutes of July 7, 2022
- 16.5 Corporate Services Strategy, Risk and Accountability meeting minutes of July 11, 2022

17. Motions of Members:

None.

18. Council Information Package:

- 18.1 Council Information Package June 24, 2022
- 18.2 Council Information Package June 30, 2022
- 18.3 Council Information Package July 8, 2022

19. Motion to Receive and File Information Items:

Moved by: Councillor Sharman
Seconded by: Councillor Stolte

Receive and file Information items, having been considered by Council:

- 19.1 Memorandum from Alison Enns, Manager of Policy, Community Planning regarding, PL-10-22 update Request for Density Calculations for Precinct Plans as shown in the MTSA ASP Planning Study Final Report.

20. Motion to Consider Confidential Items:

None.

21. Notice of Motion:

None.

22. Motion to Approve By-Laws:

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- 22.1 53-2022: A by-law to amend By-Law 07-2022, Schedule G, to add delegated authority to the Director of Engineering to enter into geospatial data license agreements.
- 22.2 54-2022: A by-law to authorize a request for the issuing of debentures by the Regional Municipality of Halton for 2022 Local Road Resurfacing and Bartlett Court Minor Reconstruction.
- 22.3 55-2022: A by-law to temporarily provide the Corporation of the City of Burlington with the ability to conduct business in the event of the Council being restricted, lame duck.
- 22.4 56-2022: A by-law to establish a Municipal Accommodation Tax.
- 22.5 57-2022: A by-law to establish a reserve fund and guidelines for the accumulation of funds collected from the Municipal Accommodation Tax for the purpose of funding Tourism related projects and initiatives.
- 22.6 58-2022: A by-law to establish a reserve fund and guidelines for the accumulation of funds collected from the Municipal Accommodation Tax for the purpose of funding Tourism initiatives.
- 22.7 59-2022: To Regulate the discharge of any matter into the Municipal Storm Sewers and to repeal By-law 86-2002, asamended.
- 22.8 60-2022: A by-law to amend By-law 61-2021, being a by-law to establish and impose certain 2022 rates and fess for services, activities or the use of property.
- 22.9 2020.443: Amendment to zoning by-law to permit an increase in the maximum building floor area as well as to expand Retail Store

permissions for the two (2) proposed 1-storey buildings at 5030, 5035, 5045 & 5040 Tico Creek Common.

22.10 2020.444: Temporary Use by-law to Zoning Bylaw 2020 to permit entertainment and/or recreational uses on Outdoor Patios throughout the City of Burlington.

22.11 2020.428: A by-law to amend By-law 2020, as amended; 4063 Upper Middle Road.

23. Motion to add the Park Dedication by-law to the Council agenda for Councils consideration.

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Approve the addition of the Park Dedication by-law to the Council agenda for Council consideration.

IN FAVOUR: (5): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, and Councillor Stolte

OPPOSED: (2): Councillor Sharman, and Councillor Bentivegna

CARRIED (5 to 2)

Moved by: Councillor Kearns

Seconded by: Councillor Stolte

Enact and pass the following by-law which is now introduced, entitled and numbered as indicated below:

A by-law to Amend Residential Parkland Dedication By-law 57-2005.

Report ES-06-22, Environment, Infrastructure and Community Services July 7, 2022

IN FAVOUR: (4): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, and Councillor Stolte

OPPOSED: (3): Councillor Galbraith, Councillor Sharman, and Councillor Bentivegna

CARRIED (4 to 3)

24. Confirmatory By-law:

Moved by: Councillor Galbraith
Seconded by: Councillor Nisan

Enact and pass By-law Number 61-2022, being a by-law to confirm the proceedings of Council at its meeting held Tuesday, July 12, 2022, being read a first, second and third time.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

25. Statements by Members:

26. Motion to Adjourn:

Moved by: Councillor Galbraith
Seconded by: Councillor Sharman

Adjourn this Council now to meet again at the call of the Mayor.

4:53 p.m.

CARRIED

Samantha Yew
Deputy Clerk

Marianne Meed Ward
Mayor